

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PICTURE PATENTS, LLC,)	
)	
Plaintiff,)	
)	Civil Case No. 07cv5567 (JGK) (HBP)
v.)	
)	
)	PLAINTIFF PICTURE PATENTS LLC'S
AEROPOSTALE, INC., DICK'S)	ANSWER TO DEFENDANT
SPORTING GOODS, INC., CHARLOTTE)	BUY.COM INC.'S COUNTERCLAIMS
RUSSE, INC., GSI COMMERCE)	
SOLUTIONS, INC., FOGDOG, INC.,)	
NATIONAL BASKETBALL)	
ASSOCIATION, INC., NBA)	
PROPERTIES, INC., NBA MEDIA)	
VENTURES, LLC, MAJOR LEAGUE)	
BASEBALL PROPERTIES, INC., MLB)	
ADVANCED MEDIA, L.P., LINENS 'N)	
THINGS, INC., TWEETER HOME)	
ENTERTAINMENT GROUP, INC.,)	
TWEETER NEWCO, LLC, TWEETER)	
OPCO, LLC, BUY.COM, INC.)	
)	
Defendants.)	
)	

**PLAINTIFF PICTURE PATENTS, LLC'S ANSWER TO DEFENDANT BUY.COM'S
COUNTERCLAIMS**

Plaintiff Picture Patents, LLC (hereinafter referred to as “Picture Patents”), by and through undersigned counsel, answers the Counterclaims of Defendant Buy.com, Inc. (hereinafter referred to as “Buy.com”) as follows:

COUNTERCLAIMS

49. Plaintiff denies knowledge or information sufficient to form a belief as to the truth of whether Defendant Buy.com is a corporation organized and existing under the laws of the

State of Delaware with its principal place of business at 85 Enterprise, Suite 100, Aliso Viejo, California 92656.

50. Picture Patents admits that it is a Delaware corporation.

51. Picture Patents admits that this Court has subject matter jurisdiction over these counterclaims under 28 U.S.C. §§ 1331, 1338, 2201 and 2202 as they arise under an act of Congress relating to patents, 35 U.S.C. §§ 101 *et seq.*

52. Picture Patents admits that U.S. Patent No. 6,278,455 (the "'455 Patent") issued on August 21, 2001 by the United States Patent and Trademark Office. Picture Patents admits that it owns all rights and interest in the '455 Patent and the right to recover for past infringement.

53. Picture Patents admits that it has asserted that Buy.com infringes the '455 patent. Picture Patent admits that an actual controversy exists between Picture Patents and Buy.com concerning Buy.com's infringement of the '455 Patent.

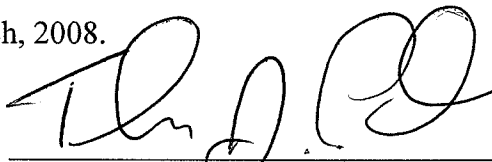
54. Picture Patents denies each and every allegation contained in paragraph numbered "54" of the Defendant's Counterclaim.

55. Picture Patents denies each and every allegation contained in paragraph numbered "55" of the Defendant's Counterclaim.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Picture Patents respectfully requests that judgment be entered in its favor, dismissing Defendant Buy.com's Counterclaims in their entirety, together with an award to Picture Patents of all the costs incurred by the Plaintiff in defense of this action, and granting all relief requested by Plaintiff in the Second Amended Complaint and such other and further relief the Court may deem just and proper.

Respectfully submitted this 19th day of March, 2008.

A handwritten signature in black ink, appearing to read 'Thomas J. Parker', written over a horizontal line.

Thomas J. Parker (Bar No. TP-7219)
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ATTORNEYS FOR PLAINTIFF
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